

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:05-cr-268-WHA
)	
CRYSTAL DENISE PHILLIPS)	

MOTION FOR LEAVE TO DISMISS ORIGINAL INDICTMENT

Comes now the United States of America, by and through its Attorney for the Middle District of Alabama, and moves the Court for leave to dismiss the Original Indictment in this case, filed on November 15, 2005.

Previously, on October 19, 2006, the United States moved for and was granted leave to dismiss the superceding indictment in this case. At that time, the United States did not realize that the original indictment in this case had never been dismissed. In preparing for sentencing of the defendant in her current case, United States v. Willis et al., Case No., 2:06-cr-71 (M.D. Ala. 2007) (Fuller, J.), the United States became aware that the original indictment was not dismissed. The United States therefore requests leave to dismiss the original indictment in this case, DE #1, filed on November 15, 2005.

Respectfully submitted this the 16th day of May, 2007.

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CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorney of record.

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